



State of Ohio Environmental Protection Agency

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US EPA RECORDS CENTER REGION 5



526385

George V. Voinovich
Governor

April 20, 1994

RE: HUKILL CHEMICAL CORP.
OHD 001 926 740
#02-18-0315

CERTIFIED MAIL

Mr. Robert L. Hukill
President
Hukill Chemical Corporation
7013 Krick Road
Bedford, Ohio 44146-4493

Dear Mr. Hukill:

On March 10, 14, and 15, 1994, the Ohio Environmental Protection Agency (EPA) conducted a compliance evaluation inspection of the Hukill Chemical Corporation (Hukill), located at 7013 Krick Road, Bedford, Ohio. The purpose of the inspection was to evaluate the facility for compliance with state and federal hazardous waste regulations. The Ohio EPA was represented by Marlene Emanuelson, Adrienne LaFavre, and Carolyn Reiersen. Hukill was represented by Ed Price, Mike Mraz and you. I have enclosed copies of the inspection checklists for your records.

Hukill Chemical Corporation is a chemical distribution center and solvent recovery facility. Solvent waste streams are recycled back to the customer as distilled solvent, as well as being blended into a hazardous waste fuel which is shipped off-site for use as a supplemental fuel in cement kilns. Hukill has submitted a Part B permit application for storage of hazardous waste in containers and tanks prior to recycling activities.

Due to recent changes in the Ohio EPA's interpretation of treatment, a great deal of time was spent during this inspection discussing the facility's hazardous waste recycling and fuel blending operations, specifically, processing of the wastes prior to recycling via one of two thin film evaporators (Luwa) or a fractionating column. A summary of Hukill's processes from those discussions follows:

Wastes are accepted on-site in drums or pumped from tanker trucks. Liquid drummed wastes are pumped into "process" tanks prior to reclaim. Drummed sludges are processed by means of a dispersion unit (the Hochmayer) which separates them into a dispersible (i.e. pumpable) material and a non-dispersible solid. The non-dispersible solids are shipped to another TSD that "packages" the solids prior to disposal in a cement kiln. Pumpable sludges are blended into chem fuel, which is burned in cement kilns as a supplemental fuel.



Liquid bulk materials are off-loaded into various permitted tanks and unpermitted "24 Hour Hazardous Waste Storage Tanks". Additionally, some of the unpermitted tanks receiving wastes are considered "process" tanks and as such, are considered by Hukill to be exempt from permitting requirements. The wastes are pumped from the storage tanks to either the Luwa's or the fractionating reboiler, depending on the purity of the waste being processed.

Water may phase separate from the spent solvents being stored in tanks. The water is pumped to one of the permitted tanks in the East Pad tank farm. The water is then processed through the frac column to reclaim any solvents which may be present. The processed water is shipped off-site to Research Oil (contains F codes) or Clean Harbors (D wastes which have lost their characteristic). Water is not decanted from any drummed hazardous wastes. Water that may phase separate within the drums is a small percentage of the total volume, thus it does not affect the BTU value of the chem fuel.

There are a number of unpermitted tanks used for the storage of hazardous waste prior to reclaim. I was told by representatives of Hukill that these tanks are not permitted because of the "24 hour storage rule", i.e., if the waste is stored in the tank for 24 hours or less prior to recycling, a storage permit is not necessary for that tank. The Ohio EPA has a number of questions and concerns regarding these unpermitted "process" storage tanks which will be addressed under separate cover.

The following violations were noted during this inspection:

1. Ohio Revised Code (ORC) Sections 3734.02 (E) and (F): Establishing a storage area without a permit by storing hazardous waste in an unpermitted area of the facility.

During the facility walk-through, roughly 401 drums were discovered being stored/staged in an unpermitted storage area behind the truck loading dock and in the "Flammable Liquids Container Storage Area" located directly behind the loading dock. Of these drums, 115 had been received within 48 hours and were considered to be in the "acceptance phase" prior to being placed in the permitted drum storage area. The remaining drums were considered to be illegally stored in an unpermitted area of the facility. The illegal storage was considered to have occurred from at least February 15, 1994 (drums dated as such in the unpermitted area) until time of discovery by Ohio EPA on March 10, 1994.

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Upon discovery of the drums in the unpermitted area, Hukill immediately began relocating the aforementioned drums to the permitted storage area. Additionally, Hukill notified trucks en route to the facility to return the wastes to the generators. Hukill spent the weekend processing the drummed wastes to get inventory down such that drums could be properly stored in the permitted area.

Ohio EPA is aware that the facility had removed the drums from the unpermitted storage area by the second day of our inspection (March 14, 1994). However, Hukill failed at that time to adequately document to Ohio EPA how it would prevent future reoccurrences of this violation. Therefore, Hukill shall provide Ohio EPA with a detailed, written narrative outlining how this violation of the ORC will be prevented from occurring at this facility in the future.

Hukill Chemical Corp. has stored hazardous waste in an unpermitted area (i.e. behind the loading dock) of the facility without first obtaining a permit to store waste in that area, thus establishing a storage facility. Therefore, in order to abate this violation of the ORC, Hukill must submit to the Ohio EPA a closure plan, as specified by OAC 3745-66-10 through 15, describing steps to be taken to decontaminate the area where hazardous waste was illegally stored. The closure plan, as well as the aforementioned detailed, written narrative, must be submitted within sixty (60) days of receipt of this letter.

2. OAC Rule 3745-65-73(B)(1): Failure to provide a description and the quantity of each hazardous waste received, and the method(s) and date(s) of its treatment, storage, or disposal at the facility as required by the appendix to this rule.

The following information which had been stencilled onto drums being stored in the unpermitted storage area, was noted during the inspection:

K-19 MF 18957
10 DRS CF 2/22/94
KRAFTMAID 950

During the inspection, Ohio EPA was given copies of the "E.P.A. Listing of Hazardous Drum Storage by Area" drum log sheets. Ohio EPA was provided with copies of drum logs for the following days: 3/1/94, 3/9/94, and 3/15/94. This drum log is part of the operating record of the facility and should exactly reflect the number of drums being stored at the facility.

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Hukill failed to enter the ten (10) aforementioned Kraftmaid drums, #18957, into the "E.P.A. Listing of Hazardous Drums Storage by Area" logs dated 3/1/94 and 3/9/94. Because of this, the facility operating record did not reflect the true number of drums present at the facility on at least those two days. (The 10 Kraftmaid drums, #18957, were entered into the 3/15/94 drum inventory log).

The drum log dated 3/1/94 indicates that the hazardous waste inventory on that day was at the maximum permitted capacity of 914 drums for storage in the East Warehouse drum storage area. The log does not account for the ten (10) additional drums of hazardous waste (Kraftmaid # 18957) in storage at the facility. Had the facility been operating under permit conditions of the Part B permit and not under the Part A, Hukill would have been in violation of the conditions of the permit by storing more than the permitted number of drums in the East warehouse drum storage area.

To abate this violation, Hukill Chemical Corp. must provide:

- a) A detailed, written, waste tracking system that will insure that all drums of hazardous waste accepted by the facility will be entered into the operating record, i.e., "E.P.A. Listing of Hazardous Drum Storage by Area" log.
 - b) The following records regarding Kraftmaid #18957: a narrative explaining why these drums were not entered into the operating record, the drum report (white card), the job cost sheet, and the Hazardous Waste Drum Processing Report for these drums.
 - c) All of the "E.P.A. Listing of Hazardous Drum Storage by Area" log sheets from February 14, 1994 to March 21, 1994.
3. Ohio Administrative Code (OAC) Rule 3745-65-73(B)(2): Failure to provide the correct physical location of each hazardous waste within the facility.

The operating record indicated that all drums of hazardous waste at the facility were being stored in the permitted drum storage area (i.e. the East Warehouse). However, Ohio EPA noted that drums (for example, Kraftmaid #18881, Curtis Screw #18984) said to be located in the permitted drum storage area were being stored in an unpermitted drum storage area (i.e. behind the loading dock). The violation was abated, in part, by March 14, 1994, when drums stored within the unpermitted area had been moved into the permitted storage area, or had been processed over the weekend.

The waste tracking system used by Hukill Chemical Corp. has failed to provide for the exact physical location of each waste. To return to compliance for this violation, Hukill shall include with requirement 2(a) above, a waste tracking system that accounts for the exact physical location of all drums of hazardous waste.

4. OAC Rule 3745-65-35. Aisle space.

Proper aisle space was not being maintained in the unpermitted storage area of the facility. Drums were also being stored three pallets high.

This violation was abated by March 14, 1994 when a tour of the facility demonstrated that the drums had been removed from the unpermitted area.

5. OAC Rules 3745-66-74 and 3745-65-15. Inspections and container management.

Per OAC Rule 3745-66-74, areas where drums are stored must be inspected weekly and this information recorded in a log. This information must also be contained in the operating record of the facility, as per OAC Rule 3745-65-15.

This violation was abated by March 14, 1994 when a tour of the facility demonstrated that the drums had been removed from the unpermitted area to the permitted storage area where the drums could be inspected weekly.

Additional Violations:

6. OAC Rule 3745-59-50(A)(2)(a). Failure to label containers with the date which accumulation began at the facility.

Thirty-seven drums which, in addition to being stored in the unpermitted storage area behind the loading dock, did not have the Hukill accumulation date stenciled on them. The drums contained the following information:

C-86 MF 18984
37 DRS A 16381
Tri 111 001303

The date of acceptance of the aforementioned drums was determined later in the inspection to be February 17, 1994. This information was obtained during the paperwork portion of the inspection.

To abate this violation, if the drums are still in the Drum Processing Warehouse, provide a photograph of the drums showing that the accumulation date has been placed on them. If the drums have been processed, provide the hazardous waste drum processing report to show the final disposition of the material.

7. OAC Rule 3745-59-07(A)(1). Failure to submit an LDR form with all shipments of hazardous waste off-site.

Waste shipped to Essroc Materials, Inc., December 13, 1993, manifest number 30394, did not have an accompanying LDR form with it.

To abate the violation, please provide Essroc Materials, Inc. with the missing LDR form and send a copy of the LDR to my attention.

8. OAC Rule 3745-52-20(B). Failure to include the proper waste codes on an out going shipment of hazardous waste.

The waste codes found in the 1993 Generator Annual Report and the 1993 Facility Annual Report were compared with each other. During this review it was discovered that hazardous waste with the waste code D043 was accepted by Hukill from Letterkenny Army Depot, Manifest 93275, Hukill tracking manifest #17668 (Capitol). In addition to waste code D043 the waste also contained the following codes: D001, D007, D008, D018, and D035. Waste with the code D043 was never manifested off-site by Hukill.

At the time of discovery of the error, Ohio EPA was shown the Hazardous Waste Drum Processing Report which accounts for the processing of the material. Ohio EPA was also told that the material was manifested off-site under manifest #30254 to Allworth, Inc., Mt. Pleasant, TN. This manifest did not have the D043 waste code for the waste in question nor does the description of the material manifested off-site by Hukill match the description of the material accepted by Hukill.

To abate the violation, Hukill Chemical Corp. must verify that the material shipped off-site under Manifest #30254 was the material from Letterkenny Army Depot. The manifest and LDR form must be corrected to include the waste code D043 and a copy of the correction must be sent to the accepting TSD and to my attention. Additionally, the 1993 Generator Annual Report must be corrected.

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9. OAC Rules 3745-52-11(C) and 3745-59-07(A). Failure to characterize an outgoing TC waste stream.

As outlined in item #8 above, Hukill Chemical Corp. accepted on-site a waste stream containing the D043 waste code. This material was never fully characterized, per the LDR rules, with all TC waste codes when Hukill, as a generator, shipped the waste off-site. Additionally, as the generator of the waste, Hukill did not properly identify the waste, per Rule 3745-52-11(C).

To abate the violation, please provide the following: the analytical information provided by Letterkenny to Hukill for proper waste characterization (pre-acceptance data), analytical results obtained by Hukill from fingerprint analysis of the incoming waste stream, and any additional information Hukill used to determine whether or not the waste stream really was a D043 waste stream.

10. OAC Rule 3745-65-31. Maintenance and Operation of Facility

Facilities shall be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents.

The "house keeping" practices at the facility were found to be poor during this inspection. Two drums were leaking onto the floor by the dispersion mixer in the process area of the East warehouse. By the amount of stains on the floor in that area, leaking drums appear to be a common occurrence. The pump for the V-117 tank, which is used to keep the "bottoms" free flowing, was leaking into a catch "pail" which in turn appeared to have leaked/spilled onto the ground. There was enough material in the catch pail that it should have been poured into the satellite accumulation drum for that area. The metal wall in front of the East and West feeds tank showed the occurrence of past spills/leaks, as evidenced by the amount of hazardous waste that had built up on the wall. The pump and all the hoses in the area were covered with dried material which appeared to be hazardous waste.

The hazardous waste fuel tank dike contained water that needed to be pumped to one of the permitted hazardous waste storage tanks. The outside wall of this dike also indicated that past spills/leaks from transfer hoses probably occurred due to the amount of hazardous waste dried on the wall. All pumps used to transfer hazardous wastes from tank to tank were covered in waste.

To abate this violation, Hukill must fix, and provide evidence that it was fixed, the pump used to recirculate the bottoms stored in tank V-117. Additionally, Hukill shall provide information that the water that had accumulated in the fuels secondary containment dike has been pumped to a storage tank, analyzed, and properly disposed. A plan must be submitted addressing how the material that has leaked and is staining much of the concrete pad, dike walls, transfer pumps, and dispersion mixer area, will be removed. Hukill must also present a plan that outlines how spills and leaks will be cleaned up in the future to prevent hazardous waste from building up on various surfaces at the facility.

11. OAC Rule 3745-65-13(A)(3)(b) and (A)(4). Waste Analysis.

Hukill failed to repeat analysis on a waste stream labeled as non-hazardous when laboratory results indicated that the waste was hazardous (flash point less than 100 degrees F). The material was a spent printing ink, manifest #18996, received and sampled February 15, 1994.

This error in laboratory results was discovered during the inspection. Upon Ohio EPA's discovery, Hukill re-analyzed the material and determined that it was non-hazardous (flash point greater than 200 degrees F). These results were shown to Ohio EPA on March 14, 1994.

Hukill should have immediately re-analyzed this material in February once it was discovered that the waste received at the facility did not match the waste designated on the accompanying manifest.

To return to compliance for this violation, Hukill must provide documentation describing what will be done in the future if fingerprint analysis done by the facility's lab does not match the generators description.

The following items are not violations but are concerns:

1. Catch pails are placed underneath hose couplings during waste transfer to collect any leaking material. Because the catch pails are used to collect a hazardous waste, they should be labeled "Hazardous Waste". An accumulation date is not necessary since the contents of the hoppers are placed in a satellite accumulation drum. By the second day of the inspection, the hoppers had been labeled as requested by Ohio EPA.

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2. Satellite accumulation areas should be listed in a log book to keep track of their location throughout the facility.
3. Two 55-gallon drums are located outside of the maintenance area. This area is considered a satellite accumulation area. One drum is for solids, the other for liquids. Neither drum was full at the time of the inspection, the total volume of the two drums being less than 55-gallons. Please be advised that the combined total volume at a satellite accumulation area is 55-gallons. It is not 55-gallons per waste stream. Hukill will want to change the drums used at this satellite area from 55-gallon drums to (two) 25-gallon drums so as not to go over the 55-gallon limit.
4. The facility contingency plan and inspection checklists need to be updated to reflect current conditions at the facility. One of the items being checked is "water table" which hasn't been an issue since the tributary to Tinker's Creek was enclosed. Two copies of the updated material should be submitted to my attention with a cover letter explaining that they are updated changes to the Part B permit. A third copy should be sent to Ed Lim in Columbus.

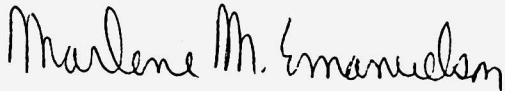
Please respond to the violations listed within 30 days of receipt of this letter, except for violation #1 which you have 60 days to respond to. Due to the nature and seriousness of the listed violations, Hukill Chemical Corp. may be referred to the Division of Hazardous Waste Management's Enforcement Screening Committee for their consideration in an upcoming Enforcement Screening Committee meeting. Failure to list specific deficiencies that may have been overlooked in this communication does not release Hukill from compliance with all applicable hazardous waste regulations. Please be advised that past or future instances of non-compliance can continue as subjects of pending or future enforcement actions.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (i.e. source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment and improve your public image by implementing pollution prevention programs. For more information about pollution prevention including fact sheets or the U.S. EPA's "Facility Pollution Prevention Guide" (EPA/600/R-92/088), please contact the Ohio EPA's Pollution Prevention Section at (614) 644-3469.

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Should you have any questions, please do not hesitate to call me at
(216) 963-1162.

Sincerely,



Marlene M. Emanuelson
Environmental Scientist
Division of Hazardous Waste
Management

cc: Frank Popotnik, DHWM, NEDO
Laurie Stevenson, DHWM, CO
Gertrude Matuschkovitz, U.S. EPA
Gordon Garcia, U.S. EPA

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